

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
June 19, 2001, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation – Rev. Charles Claycomb, Woodland United Methodist Church.
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Proclamations
-

UNFINISHED BUSINESS

1. ZON2000-00056 – Zone Change from Limited Commercial to General Commercial; AND CUP2000-00054 DP-08 Amendment #9 – Amendment to the University Garden Community Unit Plan to Allow Indoor Storage of Construction and Equipment and Vehicles as a Permitted Use on Parcel Two, Located at the Northeast Corner of 21st Street North and Oliver. (District I)

On April 24, 2001, the City Council returned the case to District Advisory Board I (DAB), based on the applicant's contention that several facts in the case had changed from those the DAB had originally reviewed. On June 4, 2001, DAB I reconsidered the Item and voted 9 to 1 to recommend approval of the application of the zone change request to Office Warehouse, subject to conditions.

RECOMMENDED ACTION: 1) Approve, subject to recommended conditions,
and first reading of the Ordinance;
2) Concur with findings of Staff; adopt the findings
of fact and deny; or
3) Return application to MAPC for reconsideration.

NEW BUSINESS

2. [Amendment](#) of Letter of Intent – Cambridge Suites Hotel Expansion. (District I)

On March 27, 2001, the City Council approved a Letter of Intent to issue Industrial Revenue Bonds for Cambridge Suites for the purpose of constructing, equipping, and additions to the hotel complex located at 120 West Orme. Cambridge Suites wishes to change the name of the legal entity that will serve as Tenant in the IRB Lease to Wichita Residence, a General Partnership.

RECOMMENDED ACTION: Close the public hearing; approve the Letter of Intent amendment; authorize the necessary signatures.

3. [Amendments](#) to City Code – Driving on Suspended or Revoked License.

The Kansas Legislature adopted amendments to the State Statutes pertaining to driving on a suspended or revoked driver's license. It is necessary to amend the City Code to conform to the changes made by the Legislature. The State law change is effective July 1, 2001.

RECOMMENDED ACTION: Approve the Declaration of Emergency and authorize the necessary signatures; adopt the Ordinance on first reading.

4. [Amendments](#) to City Code – Driving Under the Influence of Alcohol and/or Drugs (DUI).

The Kansas Legislature amended the State Statutes pertaining to driving under the influence of alcohol and/or drugs. It is necessary to amend the City Code to conform with the penalty provisions and prior conviction definitions made by the Legislature. The State law revision is effective July 1, 2001.

RECOMMENDED ACTION: Approve the Declaration of Emergency and authorize the necessary signatures; adopt the Ordinance on first reading.

5. [Ordinance Amending City Code – Litter and Graffiti.](#)

The proposed Ordinance amendments provide for increased mandatory penalties for littering and illegal dumping of trash and debris. Municipal Court is being given authority to order community service as a sanction for offenders convicted of illegal dumping or graffiti charges.

RECOMMENDED ACTION: Approve first reading of the Ordinances.

6. [City-County Study](#) of Emergency Medical Services.

The proposed study will review service delivery in other U.S. communities, provide measurable performance standards upon which service levels can be evaluated, present alternative emergency medical services, and outline the impact on measurable performance standards that each alternative would provide. The study will be performed in conjunction with Sedgwick County.

RECOMMENDED ACTION: Approve the Contract; authorize necessary signatures.

CITY COUNCIL AGENDA

7. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

8. Report of the Board of Bids and Contracts Dated June 18, 2001.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts;
authorize the necessary signatures.

9. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2001</u>	<u>(Consumption off Premises)</u>
Benjamin J. Schultz, Jr.	T & E Oil Co, dba Pantry Plus #20	233 South Maize Road
Benjamin J. Schultz, Jr.	T & E Oil Co, dba Pantry Plus #19	10304 West 13 th North

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

10. Preliminary Estimates:

- a. Reconstruction of Orme/Belmont Intersection (Orme and Belmont) (472-83229/702221/401237) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$34,791.88
- b. 2001 Sanitary Sewer Rehabilitation Program, Phase E (north of Central, east of Broadway) (468-83259/620321/661445) Traffic to be maintained during construction using flagpersons and barricades. (District II & VI) - \$245,000.
- c. Lateral 3, Main 3, Northwest Interceptor Sewer to serve The Lochs at Aberdeen (north of 21st Street North, east of 119th Street North) (468-83219/743870/480558) Does not affect existing traffic. (District V) - \$230,000.
- d. Lateral 22, Main 13, War Industries Sewer to serve One Kellogg Place 2nd Addition (south of Kellogg, east of Greenwich) (468-83235/743871/480559) Does not affect existing traffic. (District II) - \$233,000.
- e. Water Distribution System to serve One Kellogg Place 2nd Addition (south of Kellogg, east of Greenwich) (448-89563/735016/470686) - \$296,451.
- f. Central Kansas Railway – Bayley Street (715540/472-83032) - \$2 million (amended).

RECOMMENDED ACTION: Approve and file.

11. Deeds and Easements:

- a) Pedestrian Access Easement, dated March 9, 2001, from Joe H. Lee, President, Leewood Homes, Inc. for tracts of land in Lots 8 and 9, Block 1, Cedar View Second Addition, and addition to Wichita, Sedgwick County, Kansas (Private Project). No cost to City.
- b) Utility Easement, dated May 24, 2001, from Ridge Port Group, L.L.C., a Kansas Limited Liability Company, for tracts of land in Lot 1, Block G, and Lots 6 and 7, Block F, Ridge Port North 3rd Addition, and addition to Wichita, Sedgwick County, Kansas (OCA #743858). No cost to City.
- c) Utility and Drainage Easement, dated May 29, 2001, from Savannah Place Apartments, L.L.C. for a tract of land in Lot 1, Savannah Place Addition, Wichita, Sedgwick County, Kansas (OCA #751296). No cost to City.
- d) Utility and Drainage Easement, dated May 29, 2001, from Savannah Place Apartments, L.L.C. for tracts of land in Lots 1 and 2, Savannah Place Addition, Wichita, Sedgwick County, Kansas (OCA #751296). No cost to City.
- e) Water Easement, dated May 29, 2001, from Savannah Place Apartments, L.L.C. for a tract of land in Lot 1, Savannah Place Addition, Wichita, Sedgwick County, Kansas (OCA #735014). No cost to City.
- f) Sanitary Sewer Easement, dated May 8, 2001, from Royal Scottish Co., Inc. for a tract of land in the NW 1/4 of Sec. 3, Twp. 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas (Greenwich Heights Sewer, OCA #607853). No cost to City.

RECOMMENDED ACTION: Receive and file.

12. Petitions for Public Improvements:

- a) [Street paving](#), sanitary sewer, and water distribution system to serve Harrison Park Second Addition – east of Webb, north of Lincoln. (District II)
- b) [Sanitary sewer](#) to serve 127th Retail Addition – west of 127th Street East, south of Central. (District II)
- c) [Sanitary sewer](#) to serve W.H.H. Addition – south of 27th Street South, west of Seneca. (District IV)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

13. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

14. Agreements/Contracts:

- a) [CDBG](#) – Community Housing Services Wichita/Sedgwick County.
- b) [Supplemental](#) – construction engineering services for Maple - Maize to 135th Street West. (District V)
- c) [Lime sludge](#) removal – Water and Sewer Department.

(Item 14 continued)

- d) [Amendment – Deferred](#) Compensation Program.
- e) [Supplemental – professional services for Water Department sales tax case.](#)
- f) [Westlaw](#) – legal research data service.
- g) [Orpheum](#) Performing Arts Centre contract and amendment.
- h) [Supplemental](#) – professional services – Gilbert and Mosley.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

15. [Release of Hardship Deferral Liens.](#)

RECOMMENDED ACTION: Approve releases; authorize necessary signatures.

16. [2000/2001 Arterial Sidewalk and Wheelchair Ramp Program.](#) (Districts I, III, and V)

RECOMMENDED ACTION: Approve project and first reading of Ordinance.

17. [General Obligation Temporary Note Sale \(Series 203\) and General Obligation Bond Sale \(series 766\).](#)

RECOMMENDED ACTION: Adopt Resolutions authorizing Bond and Note sales; authorize publication of Notices.

18. [Safe and Drug-Free Schools and Communities Grant.](#) (District I)

RECOMMENDED ACTION: Approve Grant application and receipt of funds, authorize necessary signatures.

19. [Federal Victims of Crime Act \(VOCA\) Grant Application.](#)

RECOMMENDED ACTION: Approve Grant application and receipt of funds, authorize necessary signatures.

20. [Kansas Emergency Shelter Grant Application.](#)

RECOMMENDED ACTION: Approve Grant application and receipt of funds, authorize necessary signatures.

21. [Budget Adjustment – Gilbert and Mosley TIF.](#)

RECOMMENDED ACTION: Approve the budget adjustment.

22. [Water Capital Improvement Program.](#)

RECOMMENDED ACTION: Approve project expenditures and amending the CIP; adopt Resolution.

23. [Property Acquisition - Portion of 505 North Rock Road.](#) (District II)

RECOMMENDED ACTION: Approve budgets and Contract; authorize necessary signatures.

24. [Street Lighting Resolution No. 1-01.](#)

RECOMMENDED ACTION: Adopt the Resolution.

25. [Second Reading Ordinances:](#) (First read June 12, 2001)

a) Acquisition of Urban Renewal property.

An Ordinance providing for the acquisition by eminent domain of certain private property, in connection with the redevelopment of apportion of the Old Town area in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and providing for payment of the cost thereof.

b) DR2001-05 – street name assignment – Boston Heights. (District I)

An Ordinance assigning the name of Boston Heights to an alley located north of Harry and west of Broadway.

c) ZON2001-00022 – zone change – southeast corner of Douglas/Edwards intersection. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended.

RECOMMENDED ACTION: Adopt the Ordinances.

26. [First Reading Ordinances:](#)

a) [CSBG Review](#) Committee Ordinance Amendments.

b) [Revised Ordinance](#) - Issuance of Hospital Facilities Improvement and Refunding Revenue Bonds – Via Christi. (Districts II, III, and VI)

RECOMMENDED ACTION: Approve first reading of the Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- *27. [VAC2001-00001](#) – Vacate Alley Right-of-Way Generally Located Between Cleveland and Indiana Streets.
(District I)

RECOMMENDED ACTION: Approve the Vacation Order; authorize necessary signatures.

- *28. [VAC2001-00018](#) – Vacate Two Sixteen-Foot Utility Easements and a Ten-Foot KG&E Easement Generally Located Northeast of West Street and University. (District IV)

RECOMMENDED ACTION: Approve the Vacation Order; authorize necessary signatures.

- *29. [SUB2000-90](#) – Plat of Spurrier's Sunswept Acres Second Addition Located on the East Side of Greenwich, North of Pawnee. (District II)

RECOMMENDED ACTION: Approve the documents and Plat; authorize necessary signatures; adopt the Resolutions.

- *30. [SUB2001-25](#) – Plat of Mel Hambelton Addition Located on the Southeast Corner of 119th Street West and Kellogg. (District V)

RECOMMENDED ACTION: Approve the documents and Plat; authorize necessary signatures; adopt the Resolutions.

- *31. [SUB2001-42](#) – Plat of Smithmoor Tenth Addition Located South of Harry, on the West Side of Greenwich.
(District II)

RECOMMENDED ACTION: Approve the documents and Plat; authorize necessary signatures; adopt the Resolutions

- *32. [ZON2001-00019](#) – Zone Change from Limited Commercial and Single-Family Residential (SF-6 and SF-20) to Limited Commercial; AND [CUP2001-00013/DP-250](#) – Request for Amendment and Expansion of the Northridge Plaza Community Unit Plan, Amendment No. 1, Located on the Northwest Corner of Ridge Road and 37th Street North. (District V)

RECOMMENDED ACTION: Approve the zone change and CUP amendment, subject to the recommended conditions; forward the Ordinance for first reading when the Plat is forwarded to the City Council.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion

33. [Dedication](#) of Roadway Right-of-Way for Woodchuck.

RECOMMENDED ACTION: Approve the dedication; authorize
necessary signatures.

34. [Ballard Aviation](#) Lease Amendment.

RECOMMENDED ACTION: Approve Lease amendment; authorize
necessary signatures.

Adjournment
